

POLICY

It is the policy of the Michigan Department of Human Services Bureau of Juvenile Justice (BJJ) that youth have the right to refuse routine medical treatment, excluding immunizations.

PURPOSE

This policy ensures guidance to staff when a youth refuses to submit to a recommended course of medical treatment.

DEFINITIONS

See JRG, JJ Residential Glossary.

**RESPONSIBLE
STAFF**

Designated in the facility standard operating procedure.

PROCEDURE

Each facility is required to develop and implement standard operating procedures (SOPs) relative to a youth's refusal of medical treatment. At a minimum, these SOPs must contain the following requirements:

**Mandatory
Immunizations
(Unless
Medically
Contraindicated)**

Tuberculosis testing.

Standard immunizations are mandatory:

- Diphtheria.
- Tetanus.
- Polio.
- Tetanus boosters (every 8-10 years).
- Hepatitis B.
- Varicella (chicken pox).
- Measles, Mumps and Rubella (MMR).
- Influenza vaccine (administered, when available, in the fall).

Note: Influenza vaccine may be administered when it is available in the fall).

If a youth refuses mandatory immunizations, the facility/center director or designee contacts the youth's JJS, CMO worker, or probation officer to seek a court order authorizing measures to ensure compliance with this policy.

Routine Medical Treatment

The facility/center director or designee ensures the youth receives routine medical treatment.

If a youth refuses recommended routine medical treatment, a document stating that refusal is signed by the youth and witnessed by a physician or other licensed medical professional.

If the youth has been judicially determined incompetent or has a communicable disease, the facility/center director, conjunction with the JJS, CMO worker or probation officer may petition the court for an order mandating the youth to receive medical treatment.

Youths are not punished for refusing medical care or diagnostic testing.

Emergency Situations

In cases of emergency, the facility/center director or designee and/or the youth's parent or legal guardian may override the youth's decision to refuse medical treatment.

AUTHORITY

Social Welfare Act, MCL 400.115a(1)(l)

Youth Rehabilitation Services Act, MCL 803.303(3)